

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

NEONODE SMARTPHONE LLC,

Plaintiff,

v.

APPLE INC.

Defendants.

Civil Action No. 6:20-cv-00505-ADA

JURY TRIAL DEMANDED

**PLAINTIFF’S UNOPPOSED MOTION TO CONTINUE RULE 16 CASE
MANAGEMENT CONFERENCE**

Plaintiff Neonode Smartphone LLC (“Plaintiff”) requests that the Court continue the date of the Rule 16 Case Management Conference (“CMC”) by one week. This motion is UNOPPOSED.

The Court’s Order Governing Proceedings – Patent Case (“OGP”) was served on October 6, 2020, setting the CMC for October 16, 2020. (Dkt. No. 16). Per the OGP, the deadline for Plaintiff to serve its preliminary infringement contentions and make its production of other specified information and materials is seven days prior to the CMC, i.e., October 9, 2020. Plaintiff’s lead counsel, Philip Graves, is currently on a long-scheduled vacation that will run through October 11, 2020, two days after the deadline for Plaintiff to serve its preliminary infringement contentions and make its production of other specified information and materials. Accordingly, Plaintiff requests a one week continuance of the CMC, to October 23, 2020.

The parties have met and conferred regarding this motion, and Defendant's counsel has stated that Defendant does not oppose the relief requested herein. This motion is not brought for the purpose of delay.

DATED: October 6, 2020

Respectfully submitted,

By: /s/ Philip J. Graves

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Counsel for Plaintiff Neonode Smartphone LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of October 2020, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(b)(1). Any other counsel of record will be served by a facsimile transmission and/or first class mail.

/s/ Philip J. Graves
Philip J. Graves